

Message Text

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TO AMEMBASSY OTTAWA

C O N F I D E N T I A L STATE 120127

E.O. 11652: GDS

TAGS: ENRGY

SUBJECT: INITIATION OF NEGOTIATIONS ON A PIPELINE TREATY
WITH CANADA

1. DEPARTMENT DELIVERED NOTE TO CANADIAN EMBASSY JUNE 6
STATING USG READINESS TO BEGIN NEGOTIATIONS LEADING TO A
PIPELINE TREATY WITH CANADA.

2. TEXT OF NOTE FOLLOWS: QUOTE: THE DEPARTMENT OF STATE
REFERS THE EMBASSY OF CANADA TO DISCUSSIONS WHICH HAVE
TAKEN PLACE ON SEVERAL OCCASIONS IN RECENT YEARS BETWEEN
THE GOVERNMENTS OF THE UNITED STATES AND CANADA CONCERNING
THE DESIRABILITY OF CONCLUDING AN AGREEMENT GOVERNING THE
TRANSIT OF NATURAL GAS AND OIL PIPELINES THROUGH THE
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RESPECTIVE TERRITORIES. APPLICATIONS WHICH HAVE RECENTLY

BEEN SUBMITTED TO REGULATORY AUTHORITIES IN THE UNITED STATES AND CANADA FOR PERMITS TO CONSTRUCT AND OPERATE PIPELINES FOR THE PURPOSE OF TRANSMITTING NATURAL GAS FROM THE STATE OF ALASKA TO OTHER PARTS OF THE UNITED STATES THROUGH CANADA HAVE MADE THIS MATTER MORE URGENT. THE DEPARTMENT HAS ALSO NOTED STATEMENTS BY MEMBERS OF THE GOVERNMENT OF CANADA REFLECTING ITS INTEREST IN SATISFACTORY ARRANGEMENTS TO ACCOMPLISH THIS OBJECTIVE.

IN THE TRANS-ALASKA PIPELINE AUTHORIZATION ACT OF 1973,

THE CONGRESS OF THE UNITED STATES AUTHORIZED AND REQUESTED THE PRESIDENT OF THE UNITED STATES TO ENTER INTO NEGOTIATIONS WITH THE GOVERNMENT OF CANADA REGARDING THE TRANSMISSION OF NATURAL GAS AND OIL FROM THE ARCTIC REGION TO PARTS OF THE UNITED STATES AND CANADA. THE ACT ALSO SPECIFIED A NUMBER OF ISSUES TO BE CONSIDERED IN CONNECTION WITH THESE NEGOTIATIONS.

IN VIEW OF THIS LEGISLATION, PAST DISCUSSIONS ON THE MATTER OF OIL AND GAS PIPELINES, THE EXPRESSED ATTITUDE OF THE GOVERNMENT OF CANADA, AND THE APPLICATIONS SUBMITTED TO THE TWO GOVERNMENTS FOR PERMITS TO CONSTRUCT AND OPERATE NATURAL GAS PIPELINES, THE GOVERNMENT OF THE UNITED STATES IS PREPARED TO PROCEED WITH NEGOTIATIONS ON THIS MATTER. ACCORDINGLY, THE DEPARTMENT WISHES TO SUGGEST THAT APPROPRIATE REPRESENTATIVES OF THE GOVERNMENT OF THE UNITED STATES MEET WITH OFFICIALS OF THE GOVERNMENT OF CANADA TO BEGIN INITIAL CONSULTATIONS IN THIS REGARD AT A MUTUALLY CONVENIENT TIME IN THE NEAR FUTURE. THE DEPARTMENT WOULD WELCOME ANY VIEWS THE GOVERNMENT OF CANADA MIGHT HAVE WITH RESPECT TO THE TIME AND LOCATION OF THESE INITIAL CONSULTATIONS. UNQUOTE.

3. DEPARTMENT ALSO INDICATED THAT IT WOULD EXPECT TO EXPLORE THE ISSUES SET OUT BY CONGRESS IN ALASKA PIPELINE ACT IN THE COURSE OF NEGOTIATIONS ON A PIPELINE AGREEMENT TO ENABLE US TO REPORT TO CONGRESS AS REQUIRED BY THE ACT.

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4. WE SAID WE REALIZED IT IS UNLIKELY THAT NEGOTIATIONS CAN BEGIN UNTIL NEW CANADIAN GOVERNMENT IS FORMED AFTER JULY ELECTIONS. HOWEVER, WE WOULD HOPE TO DISCUSS INFORMALLY NATURE OF NEGOTIATIONS BEFORE THEN.

5. CANADIAN MINISTER AGREED THAT GOC UNLIKELY TO AGREE TO INITIATION OF NEGOTIATIONS BEFORE LATTER HALF OF JULY,

BUT WOULD PROBABLY BE WILLING TO HOLD INFORMAL CONSULTATIONS ON MODALITIES AND CONCEPTS INVOLVED IN PIPELINE AGREEMENT LATER THIS MONTH.

6. PRESS GUIDANCE: DEPARTMENT PLANS TO ANNOUNCE INITIATION OF NEGOTIATIONS AFTER WE HAVE AGREED ON DATE AFTER CONSULTATION WITH GOC. HOWEVER, WE DO NOT INTEND TO MAKE PUBLIC STATEMENT AT PRESENT TIME. IF ASKED, WE WILL CONFIRM THAT WE HAVE INFORMED GOC OF OUR READINESS TO PROCEED WITH NEGOTIATIONS. WE DO NOT PLAN TO RELEASE TEXT OF NOTE TO GOC. KISSINGER

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